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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BANK OF AMERICA, N.A., AS
SUCCESSOR BY MERGER TO BAC HOME
LOANS SERVICING, LP,

Plaintiff,

vs.

NORTH AMERICAN TITLE INSURANCE
COMPANY; DOE INDIVIDUALS I through
X; and ROE CORPORATIONS XI through
XX, inclusive,

Defendants.

Case No.: 2:21-cv-00313-JCM-NJK

**STIPULATION AND ORDER TO
STAY CASE**

(THIRD REQUEST)

Plaintiff, Bank of America, N.A. (“**BANA**”) and Defendant, North American Title Insurance Company (“**NATIC**”) (collectively the “**Parties**”), by and through their respective undersigned counsel, hereby stipulate and agree as follows.

This is one of many actions pending before the Nevada state and federal courts involving a lender’s alleged entitlement to coverage under a title insurance policy following an HOA foreclosure sale. BANA filed this action in Nevada’s Eighth Judicial District Court on February 23, 2021, and NATIC removed this case to this Court on February 24, 2021. ECF No. 1-1. Thereafter, BANA and NATIC entered into global settlement negotiations to discuss the resolution of approximately 100 similar title insurance claims. The Parties stipulated to stay this case to achieve that purpose and on April 16, 2021, this Court entered its Order staying this case.

ECF No. 9. Pursuant to this Court's stay Order, the Parties were to file a Joint Status Report in 90 days. *Id.* A Joint Status Report was filed on July 14, 2021, wherein the Parties requested an additional 60 days to pursue settlement. ECF No. 11. The Parties were advised to re-file the Joint Status Report as a Stipulation for Extension of Time. ECF No. 12. A Stipulation to Extend Time was filed on August 5, 2022, which was granted nunc pro tunc on September 21, 2021, and the Parties were ordered to file a notice of settlement, new status report or proposed scheduling order. ECF No. 14.

On October 7, 2021, the Parties submitted a Joint Status Report, as well as a Stipulation to Extend the Stay of Case to explore settlement. ECF Nos. 15 & 16. The Court granted the Stipulation to Extend Stay on October 13, 2021, requiring the Parties to file a joint status report every 90 days. ECF No. 17. Due to an inadvertent calendaring error, a joint status report was not filed on January 11, 2022 or April 11, 2022. On May 16, 2022, this Court entered its Order lifting the stay and for BANA to show cause by May 31, 2021 as to why this matter should not be dismissed with prejudice. ECF No. 18. A response to the Order to Show Cause was filed on May 31, 2022, in which BANA advised that the Parties were still in settlement negotiations and would submit a new stipulation to stay the case. ECF No. 19.

The Parties are attempting to resolve not only this case, but are seeking a global resolution of approximately 100 similar title insurance claims. BANA has submitted a settlement demand to NATIC and the Parties are currently discussing logistics for a mediation. Due to the complexity of the claims and number of loans and claims involved, the Parties need additional time for settlement. The Parties desire to continue good faith settlement negotiations and believe that this matter should be stayed to achieve that purpose.

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